REMARKS

In the Office Action mailed July 21, 2009, the Office noted that claims 10, 11, 13-24 and 27 were pending and rejected claims 10, 11 and 20-22. Claims 10 and 22 have been amended, claim 11 has been canceled, and, thus, in view of the foregoing, claims 10, 13-24 and 27 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

CLAIM OBJECTION

Claim 22 stands objected to for informalities. In particular, the Office asserts that no second controlling device is recited in the present claims. The Applicant has amended the claim to overcome the objection.

Withdrawal of the objection is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claim 10 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Ross, U.S. Patent No. 2003/0081535. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Claim 10 recites a single-session recording method. For example, Fig. 2 of the present application discloses only one session. Namely, the recording process from the lead-in area 102 to the lead-out area 118 (i.e. the recording process with respect to the lead-in area 102, the block area A, the block area B, the

block area C and the lead-out area 118) corresponds to one session.

On the other hand, Ross discloses a multi-session recording method as shown in Fig. 1 of Ross. For example, Fig. 1 of Ross discloses two sessions (i.e. first and second sessions). Namely, the recording process from the lead-in area 106A to the lead-out area 106D (i.e. the recording process with respect to the lead-in area 106A, the two data areas 106B, the two middle areas 106C and the lead-out area 106D) corresponds to one session (the first session) and the recording process from the lead-in area 108A to the lead-out area 108D (i.e. the recording process with respect to the lead-in area 108A, the two data areas 108B, the two middle areas 108C and the lead-out area 108D) corresponds to another one session (the second session).

Further, when the recording process with respect to one session is ended, the finalizing process (for example, (i) recording process into the lead-in area, the lead out area and the middle areas and (ii) recording process into the unrecorded area of the second recording layer which faces the recorded area of the first recording layer) needs to be performed.

According to claim 10, multi-borders recording can be performed in one session while the finalizing process is not performed (in other words, before the finalizing process is performed). More specifically, according to claim 10 (especially, Fig. 2 of the present application), (i) the recording with respect to the block area A (i.e. the data areas

105a, the interlayer buffer area 106a, the interlayer buffer area 116a, the data area 115a and the border out area 117a) is firstly performed, then (ii) the recording with respect to the block area B (i.e. the border in area 104b, the data areas 105b, the interlayer buffer area 106b, the interlayer buffer area 116b, the data area 115b and the border out area 117b) is performed, then (iii) the recording with respect to the block area C (i.e. the border in area 104c, the data areas 105c, the interlayer buffer area 106c, the interlayer buffer area 116c, the data area 115c and the border out area 117c) is performed, and then (iv) the finalizing process with respect to the recording medium (i.e. the recording with respect to the lead-in area 102, the middle areas 109 and 119, and the lead-out area 118) is performed. Namely, the plurality of block areas (each of which includes the partial recording area of the first recording layer, the partial recording area of the second recording layer, the interlayer buffer area of the first recording layer and the interlayer buffer area of the second recording layer) can be prepared in the one session.

In contrast, according to Ross, the multi-borders recording cannot be performed in one session while the finalizing process is not performed. More specifically, according to Ross (especially, Fig. 1 of Ross), (i) the recording with respect to the first session (i.e. the data areas 106B) is firstly performed, then (ii) the finalizing process with respect to the first session (i.e. the recording with respect to the lead-in

area 106A, the middle areas 106C and the lead-out area 106D) is performed, then (iii) the recording with respect to the second session (i.e. the data areas 108B) is firstly performed, then (iv) the finalizing process with respect to the second session (i.e. the recording with respect to the lead-in area 108A, the middle areas 108C and the lead-out area 108D) is performed. Namely, the plurality of block areas cannot be prepared in the one session.

According to claim 10, since the data is recorded into the recording medium by a unit of the block area (i.e. the multi-borders recording is performed), it is possible to minimize (or to zero) the size of the unrecorded area of the second recording layer which faces the recorded area of the first recording layer (see Fig. 16 of the present application). In this case, the recording of the dummy data into the block area C, which is the unrecorded area, is not needed in performing the finalizing process, because the interlayer buffer areas 106b and 116b (or the middle areas 109 and 119 prepared to be adjacent to the interlayer buffer areas 106b and 116b, as shown in Fig. 17 of the present invention) function as the middle areas (see page 54 lines 4 to 9 of the Specification of the present application). Therefore, it is possible to reduce the time required for the finalizing process (see page 8, line 15 to page 9, line 20 and page 32, lines 6 to 17 of the Specification of the present application).

In contrast, according to Ross, one portion of data is

recorded into the entire first recording layer and then the other portion of data is recorded into one portion of the second recording layer, because the data is NOT recorded by a unit of the recording block. In this case, the recording of the dummy data into the unrecorded area of the data area 106B of the second recording layer is absolutely needed in performing the finalizing process (see page 31, line 24 to page 32, line 5 of the Specification of the present application). Therefore, the time required for the finalizing process is increased.

For at least the reasons discussed above, claim 10 and the claims dependent therefrom are not anticipated by Ross.

Withdrawal of the rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being obvious over Ross in view of Ogawa, U.S. Patent Publication No. 2004/0202083. The Applicant respectfully disagrees and traverses the rejection with an argument.

Ogawa adds nothing to the deficiencies of Ross as applied against the independent claim. Therefore, for at least the reasons discussed above, Ross and Ogawa, taken separately or in combination, fail to render obvious the features of claim 20.

Claims 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being obvious over Ross in view of Ogawa in view of Ono, U.S. Patent No. 6,643,231. The Applicant respectfully disagrees and traverses the rejection with an argument.

Ogawa and Ono add nothing to the deficiencies of Ross as applied against the independent claim. Therefore, for at least the reasons discussed above, Ross, Ogawa, and Ono, taken separately or in combination, fail to render obvious the features of claims 21 and 22.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 102 and 103. It is also submitted that claims 10, 13-24 and 27 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./
James J. Livingston, Jr.
Reg. No. 55,394
209 Madison St, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JJL/lrs